

07/28/05 RCE \$

<p style="text-align: center;"><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p style="font-size: small;">Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number</td> <td style="padding: 2px;">10/091,149</td> </tr> <tr> <td style="padding: 2px;">Filing Date</td> <td style="padding: 2px;">March 4, 2002</td> </tr> <tr> <td style="padding: 2px;">First Named Inventor</td> <td style="padding: 2px;">Boakang YANG</td> </tr> <tr> <td style="padding: 2px;">Group Art unit</td> <td style="padding: 2px;">1761</td> </tr> <tr> <td style="padding: 2px;">Examiner Name</td> <td style="padding: 2px;">Becker, Drew E.</td> </tr> <tr> <td style="padding: 2px;">Attorney Docket Number</td> <td style="padding: 2px;">N-33563A</td> </tr> </table>	Application Number	10/091,149	Filing Date	March 4, 2002	First Named Inventor	Boakang YANG	Group Art unit	1761	Examiner Name	Becker, Drew E.	Attorney Docket Number	N-33563A
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First Named Inventor	Boakang YANG												
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Examiner Name	Becker, Drew E.												
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Petition for Extension of Time

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**      The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0134

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)      07/29/2005 MAHMED1 00000032 190134 10091149

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)      01 FC:1801      790.00 DA

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Gary M. Lobel	Registration No. (Attorney/Agent)	Reg. No. 51,155 Attorney for Applicant
Signature		Date	July 27, 2005

<u>EV485022929US</u> Express Mail Label Number	<u>July 27, 2005</u> Date of Deposit
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Response Under 37 CFR §1.116  
Expedited Procedure  
Examining Group 1761

CASE N-33563A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 485022929US  
Express Mail Label Number

July 27, 2005  
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1761

BOAKANG YANG

Examiner: Becker, Drew W.

APPLICATION NO: 10/091,149

FILED: MARCH 4, 2002

FOR: JUICE BASED BEVERAGE COMPOSITIONS

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

Examiner Becker:

In response to the Office Action mailed 28 January 2005, please amend the above-identified application as follows:

**Amendments To The Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks** begin on page 4 of this paper.